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EXAMINER
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DINH, KHANH Q

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/601,385

Applicant(s)

REFUAH ET AL.

Examiner

Khanh Dinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22,32,34-68,70-87 and 89-135 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22, 32, 34-68, 70-87 and 89-135 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This is in response to the Amendment filed on 1/5/2004. Claims 23-31, 33, 69 and 88 are canceled. Claims 1-22, 32, 34-68, 70-87 and 89-111 and new claims 112-135 are presented for examination.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-22, 32, 34-68, 70-87 and 89-135 are rejected under 35 U.S.C. 102(e) as being anticipated by Herz US pat. No.6,029,195.

As to claim 1, Herz discloses a method of a user interacting with an Internet, comprising:

tracking interactions of the user (using user's target profile summary) with an Internet and analyzing said tracked interactions to determine at least a part of a user profile (monitoring which articles users are read, see abstract, fig.2, col.39 line 12-56 and col.65 lines 18-67).

transmitting by the user request for data to an Internet sit (identifying World Wide web pages of users' interest, col.66 lines 1-65 and col.67 lines 8-66).

generating a display format of the generated information content of the site to be provided responsive to the request and determining a display format of the generated information content including at least one non-information-content attribute, responsive to the user (using quality attributes including negatively weight attributes to allow users to monitor market activity, see col.68 line 5 to col.69 line 60 and col.71 line 20 to col.72 line 64).

As to claims 2-4, Herz discloses tracking at a computer at which said user accesses the Internet, tracking at a tracking computer which tracks a plurality of users and remote from said plurality of sites (see col.col.59 line 23 to col.60 line 58 and col.64 line 3 to col.65 line 48).

As to claims 5-8, Herz discloses analyzing previously acquired tracking data, analyzing of currently acquired tracking data, user profile is maintained as a virtual personality, which is a complex of characteristics that distinguishes an electronic person, for the purpose of interacting *with an* Internet and a persona which is a static aspect of a

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personality (see fig.14, col.27 line 17 to col.28 line 40 and col.37 line 33 to col.38 line 64).

As to claims 9-12, Herx discloses a mood, which is a dynamic aspect of a personality, a rush mood which favors fast responses and a meticulous persona which favors complete responses (see fig.14, col.27 line 17 to col.28 line 40 and col.37 line 33 to col.38 line 64).

As to claim 13-17, Herz discloses geographical information, demographic information, interests and preference information, marketing information, identification and contact information and relational information, which defines relations between various aspects of the personality (see col.37 line 32 to col.38 line 64 and col.59 line 21 to col.60 line 64).

As to claims 18-22, Herz discloses reflective Information which defines how a personality changes and/or interacts with other electronic entities, a plurality of personalities to which to attribute said tracked interactions, searching, providing the data requested page of the site (World Wide Web pages), changing a layout of data (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

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As to claim 32, Herz discloses a method of virtual personality interaction with an Internet comprising:

providing a virtual personality, which is a complex of characteristics that distinguishes an electronic person (see abstract, fig.2, col.39 line 12 to col.40 line 60), for the purpose of interacting with an Internet and requesting an interaction, with said Internet, by a user with whom said virtual personality is associated Internet (see col.40 line 61 to col.41 line 61).

identifying at least one prospective site for the interaction, from a plurality of unrelated sites, automatically analyzing a content of said site, by a computer to determine a match to said virtual personality, the analysis including determination of at least one trait of the site (World Wide Web site) and selecting to perform said interaction or modifying a performance of said interaction responsive to said analysis (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31, col.72 line 65 to col.73 line 43).

As to claims 34-36, Herz discloses determining an ambiance of said site, and analyzing lexicographical characteristics of said site and analyzing graphical characteristics of said site (see fig.14, col.27 line 17 to col.28 line 40 and col.37 line 33 to col.38 line 64).

As to claims 37-42, Herz discloses identifying a plurality of sites, using an Internet search engine, a mood which is a dynamic aspect of a personality, a static aspect of a

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personality and complement to match said virtual personality (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claim 43, Herz discloses a method of internet interaction by a single user, comprising: selecting, from a remote location, by the user, one of a plurality of virtual personalities (user profiles) available for interaction with a particular site (World Wide Web sites) (see abstract, fig.2, col.39 line 12 to col.40 line 60), wherein a virtual personality comprises a complex of characteristics that distinguishes an electronic person, for the purpose of interacting with an internet; and interacting with the particular site using the selected virtual personality analysis (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31, col.72 line 65 to col.73 line 43 and col.80 line 1 to col.81 line 48).

As to claim 44, Hers discloses a method of site ambiance provision, comprising: requesting an ambiance of an Internet site (see abstract, fig.2, col.39 line 12 to col.40 line 60), said request including an identification of the site, determining an ambiance of said site (most benefiting sites), responsive to said identification and responding to said request with at least an indication of said ambiance (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31, col.72 line 65 to col.73 line 43 and col.80 line 1 to col.81 line 48).

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As to claims 45-48, Herz discloses an ambiance retrieving said indication of an ambiance from a memory, analyzing said site, requesting an indication of said ambiance from said site and requesting an indication of said ambiance from an ambiance server (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claim 49, Herz discloses a virtual personality server, comprising:

a connection to a user, through which said user indicates a desired Internet interaction and a connection to a WWW site, with which the user interacts, said connection adapted to connect to a plurality of unrelated WWW sites for interaction with by said user (see abstract, fig.2, col.39 line 12 to col.40 line 60), and a virtual personality adapter, which adapts said interaction by modifying at least one of a presentation of information from said site to said user or a functional response of said site to input from user (using user's profile), utilizing a virtual personality for the user, wherein a virtual personality comprises a complex of characteristics that distinguishes an electronic person, for the purpose of interacting with an Internet ambiance (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31).

Wherein the virtual personality adapter modifies at least one interaction attribute based on a portion of the virtual personality which does not point out a desire piece of information (using email filter to process user's messages and requests in virtual communities, see col.80 line 1 to col.81 line 48 and col.82 lines 4-58).



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As to claims 50-53, Herz discloses that the connection to a user is operable to receive a selection of a particular virtual personality by said user, modifying said virtual personality responsive to said modified interaction, a persona which is a static aspect of a personality a mood which is a dynamic aspect of a personality (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claim 54, Herz discloses a method of virtual personality serving, comprises:

connecting to a WWW site, to request an interaction and determining, at said WWW site, a desired virtual personality adaptation of said interaction (see abstract, fig.2, col.39 line 12 to col.40 line 60 and col.80 lines 1-65), wherein a virtual personality comprises a complex of characteristics that distinguishes an electronic person, for the purpose of interacting with an Internet (see col.41 line 23 to col.43 line 27).

completing said interaction, by said WWW site, responsive try said determined virtual personality adaptation, wherein said desired adaptation comprises modifying at least one of an ambiance of said site or a functional response of said site to input (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claims 55-61, Herz discloses receiving an indication of a desired virtual personality from a virtual personality server, the server is located at a location, remote from said WW site and from a location at which said connection is initiated, reading virtual personality information from a computer at a location from

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which said connection is initiated, generating a one-time personality for said interaction and a mood responsive adaptation, wherein a mood is a dynamic aspect of a personality and a persona is a static aspect of a personality (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claim 62, Herz discloses a method of site matching to a virtual personality, comprising:

providing a list of relevant sites (World Wide Web sites) in response to user request and analyzing each of said sites to determine a match with said virtual personality (see abstract, fig.2, col.39 line 12 to col.40 line 60 and col.80 lines 1-65), which is a complex of characteristics that distinguishes an electronic person, for the purpose of interacting with an Internet, grading said sites responsive to said analysis and automatically displaying data from a highest graded site on the list (allowing users to submit queries for response by users in the Internet, see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31, col.80 line 1 to col.81 line 48 and col.83 line 20 to col.84 line 45).

As to claims 63-68, Herz discloses providing a list comprises executing a search 1o on an Internet search engine to provide said list, retrieving a plurality of matches from a name server, analyzing at least one of said sites responsive to a presented ambiance, analyzing at least one of said sites responsive to a

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presented trait, analyzing a content of at least one of said sites and displaying said graded list (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claim 70, Herz discloses a method of advertisement personalization, comprising: determining an instantaneous virtual personality of a human interact or, wherein a virtual personality comprises a complex of characteristics that distinguishes an electronic person (see abstract, fig.2, col.39 line 12 to col.40 line 60 and col.80 lines 1-65), for the purpose of interacting with an internet, said virtual personality including a mood, which is a dynamic aspect of said personality and selecting at least one advertisement to match said virtual personality and presenting said advertisement to said interactor (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claims 71-74, Herz discloses advertisement is presented through an Internet, a persona, which is a static aspect of a personality, selecting said virtual personality from a plurality of available virtual personalities and is provided by said interactor (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claim 75, Herz discloses a method of WWW site modification, comprising:

detecting at the WWW site a desired interaction from a particular virtual personality, which personality comprises a complex of characteristics that distinguishes an electronic person, for the purpose of interacting with an Internet (see abstract, fig.2, col.39 line 12 to col.40 line 60 and col.80 lines 1-65) determining a suitable modification of at least one characteristic of said site to match said virtual personality, responding to said desired interaction with a response indicating a match of said modified characteristic to said virtual personality; and modifying said site in association with providing said site during said desired interaction to a user associated with said virtual personality (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claims 76-78, Herz discloses modifying a display layout, modifying a level of detail shown and selecting data to be displayed (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claim 79, Herz discloses a method of data directory display, comprising:  
requesting a display of data from a data directory and providing, in association with said request, a virtual personality for said request (see abstract, fig.2, col.39 line 12 to col.40 line 60 and col.80 lines 1-65), which personality comprises a complex of characteristics that distinguishes an electronic person, for the purpose of interacting with an Internet; and displaying said data, with at least one of a level of

detail or a spatial layout selected responsive to said virtual personality (providing World Wide Web sites in response to users' requests, see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claims 80-84, Herz discloses a virtual personality is provided as part of said request, displaying filtering, sorting, controlling a level of detail and controlling a spatial layout of said data (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claim 85, Herz discloses a method of data directory display, comprising:

requesting a search from a search engine, using at least one keyword, which request includes a virtual personality for said -request, which personality comprises a complex of characteristics that distinguishes an electronic person, for the purpose of interacting with an Internet (see abstract, fig.2, col.39 line 12 to col.40 line 60 and col.80 lines 1-65).

interpreting said key-word at said search engine, utilizing said virtual personality and performing said search request by said search engine, utilizing said interpreted key word (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claim 86, Herz discloses an Internet search engine (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claim 87, Herz discloses a method of Internet search, comprising:

a user connecting to an Internet search engine and providing the search engine with search criteria, by said user (see abstract, fig.2, col.39 line 12 to col.40 line 60 and col.80 lines 1-65).

performing a search for WWW sites by the search engine, utilizing *said search criteria* to obtain search results, processing said search results utilizing personal information associated with said user, by a different computer from the search engine and presenting said filtered search results to *said user* (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claims 89-90, Herz discloses using a virtual personality (using user's profiles, which comprises a complex of characteristics that distinguishes an electronic person, for the purpose of interacting with an Internet and a non-keyword input to said search engine (see col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48 and col.87 line 7 to col.88 line 67).

As to claim 91, Herz discloses a method of interacting with a computer:

providing a software application (educational software) having a user interface on said computer and providing an electronic representation of at least part of a user's desired personality (see abstract, fig.2, col.39 line 12 to col.40 line 60 and col.80 lines 1-65, col.89 lines 1-51).

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said software modifying its inter-action with said user, responsive to said representation of said personality (see col.37 line 32 to col.38 line 64, col.80 line 1 to col.81 line 48).

As to claims 92-100, Herz discloses an Internet Browser, a visual display of said interface, behavior of said interface, modifies a menu length of said interface, modifies a help level of said software, modifies a level of detail presented by said software, modifies a display format of said software, modifies an image quality of said software and modifies a response time of said software (see fig.2, col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48 and col.87 line 7 to col.88 line 67).

As to claim 101, Herz discloses a method of utilizing an electronic representation of a user's desired personality, comprising:

Providing said representation on a portable computer-readable storage media, reading the representation by a terminal and interacting with a compute using said representation, wherein said representation mediates the interaction (see fig.2, col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48 and col.87 line 7 to col.88 line 67).

As to claims 102-105, Herz discloses a computer is connected through the terminal through an Internet, a controller of an automated store, varying a range of offered

selection of products, a diskette (see fig.2, col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48 and col.87 line 7 to col.88 line 67).

As to claims 106-111, Herz discloses a smart card, printed optically readable codes, tracking a plurality of interactions of said user with an internet, a representation of a persona which is a static aspect of a personality, a representation of a mood, which is a dynamic aspect of a personality and a true personality of said user (see fig.12, col.37 line 32 to col.38 line 64, col.59 line 21 to col.60 line 64 and col.87 line 6 to col.88 line 67).

As to claim 112, Herz discloses a method of virtual personality interaction with an Internet, comprising:

tracking interactions of the user with an Internet and analyzing said tracked interactions to determine at least a part of a user profile (monitoring and tracking user's actions such as which articles users are read, see abstract, fig.2, col.39 line 12-56 and col.65 lines 18-67).

requesting an interaction, with the Internet, selecting a site to access responsive to the request and the user profile and providing the user with content of the selected site responsive to the request (identifying and providing World Wide web pages according to users' interest, col.66 lines 1-65 and col.67 lines 8-66 and col.68 line 5 to col.69 line 60).



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As to claims 112-116, Herz discloses a name server, one or more display colors, an image quality and a user profile comprises a size, amount or density of displayed text (see col.18 lines 10-53, col.27 line 17 to col.28 line 39 and col.57 line 11 to col.58 line 63).

As to claims 117-121, Herz discloses a display format of a browser of the client, one of a help detail level with a menu length or a dialog box format, the plurality of unrelated sites are received from a name server, an average word length and a number or percentage of non-textual objects (see fig.14, col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48 and col.87 line 7 to col.88 line 67).

As to claims 122-127, Herz discloses the type of words used by the site, a ratio between images and text in the site, the colors used by the site, a number of links, images or multimedia files of the site, and filtering the search results (using filters) and ordering the search results (see fig.12, col.37 line 32 to col.38 line 64 and col.63 line 8 to col.64 line 31 and col.80 line 1 to col.81 line 48).

As to claim 128, Herz discloses a method of Internet interaction, comprising:

requesting by a user a response from a web site, generating a response to the request, by the web site and providing, the web site response to a persona server, which determines modifications to the generated response (monitoring and tracking

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user's actions such as which articles users are read, see abstract, fig.2, col.39 line 12-56 and col.65 lines 18-67).

responsive to personal information associated with the user and presenting the generated response, to the user, modified according to the determination of the persona server (identifying and providing World Wide web pages according to users' interest, col.66 lines 1-65 and col.67 lines 8-66 and col.68 line 5 to col.69 line 60).

As to claims 129-130, Herz discloses the response of the web site comprises search results from a search engine and the terminal is implemented by the computer (see fig.2, col.39 line 12-56 and col.65 lines 18-67).

As to claim 131, Herz discloses a method of interacting with an Internet server, comprising: providing a user profile of a user's desired personality on a user terminal, through which a user interacts with the Internet and transmitting the user profile from the terminal to an Internet server along with a request for Internet site data (monitoring and tracking user's actions such as which articles users are read, see abstract, fig.2, col.39 line 12-56 and col.65 lines 18-67).

providing the user terminal with the requested Internet site data, modified responsive to the user profile (identifying and providing World Wide web pages according to users' interest, col.66 lines 1-65 and col.67 lines 8-66 and col.68 line 5 to col.69 line 60).

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As to claims 132-135, Herz discloses reading the user profile from a portable computer-readable storage media, a representation of a persona, which is a static aspect of a personality, a software modifying its functionality responsive to said representation of said personality and a visual attribute (see fig.12, col.37 line 32 to col.38 line 64, col.59 line 21 to col.60 line 64 and col.87 line 6 to col.88 line 67).

### ***Response to Arguments***

4. Applicant's arguments filed on 1/5/2004 have been fully considered but they are not persuasive.

\* Applicant asserts that the Herz reference does not disclose a non-attribute of a display format of the information.

*Examiner respectfully disagrees. Herz discloses a non-attribute of a display format of the information (by using quality attributes including negatively weight attributes to allow users to monitor market activity or other user's activity and thus providing the user not only quality but also format personalization in displaying information, see col.68 line 5 to col.69 line 60 and col.71 line 20 to col.72 line 64).*

\* Applicant asserts that the Herz reference does not disclose a trait of a site and electing to perform an interaction or modifying a performance of the interaction analysis and a single user having plurality of virtual personalities for a single site. *Examiner respectfully points out that Herz discloses the applicant's claimed invention by using a user specific linking of advertisers with sites or other content*

*including programming or joint ads or promotions between advertisers may occur in real time. As a result, user can use this technique may to recommend the most befitting sites according to customized motion particularly for each user and/or ads which should be linked together (based upon their similarity) (see col.63 line 8 to col.64 line 31 and col.72 line 65 to col.73 line 43).*

\* Applicant asserts that the Herz reference does not disclose an ambiance of an Internet site.

*Examiner respectfully points out that Herz discloses the applicant's claimed invention by using a user specific linking of advertisers with sites or other content including programming or joint ads or promotions between advertisers may occur in real time. As a result, users/programmer can use this technique may to recommend the most befitting sites (ambiance sites) according to customized motion particularly for each user and/or ads which should be linked together (based upon their similarity) (see col.63 line 8 to col.64 line 31 and col.72 line 65 to col.73 line 43).*

\* Applicant asserts that the Herz reference does not disclose modifying at least one interaction attribute based on a portion of the virtual personality which does not point out a desire piece of information.

*Examiner respectfully points out that Herz discloses the claimed invention by using email filter to process user's messages and modifying requests in virtual*

*communities (see col.80 line 1 to col.81 line 48 and col.82 lines 4-58) as rejected above.*

\* Applicant asserts that the Herz reference does not disclose software to modifying its interaction with a user.

*Examiner respectfully points out that Herz discloses the claimed invention as rejected above. In multi user applications, users may be matched together who share a high level of interest in that application or the particular type of content therein as with educational software, entertainment applications or groupware (e.g., intra-organizational) where users may participate remotely in an application. For example, users in any of these multi-user applications may involve automatic calendaring (by a scheduling agent) for the purpose of arranging a virtual session between users who share a common interest in the nature or content of the application (i.e., a high speed action or suspense adventure video game) or for some applications (i.e., document editing groupware) users may sometimes require synchronous sessions or they may participate asynchronously (see col.40 line 60 and col.80 lines 1-65, col.89 lines 1-51).*

*Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in independent claims 1, 32, 43, 44, 49, 54, 62, 70, 75, 79, 85, 87, 91, 101, 112, 128 and 131. Claims 2-22, 34-42, 45-48, 50-53, 55-61, 63-68, 70-74, 76, 78, 80-84, 86, 89, 90, 92-100, 102-111, 113-127, 129, 130 and 132-135 are also rejected at least by virtue of their dependency on independent claims and by other*

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*reasons set forth in the previous office action. Accordingly, claims 1-22, 32, 34-68, 70-87 and 89-135 are respectfully rejected.*

***Other prior art cited***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Shaw et al., US pat. No.6,640,284.

***Conclusion***

6. Claims 1-22, 32, 34-68, 70-87 and 89-135 are *rejected*.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached on (703) 305-4792. The fax phone number for this group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

Khanh Dinh  
Patent Examiner  
Art Unit 2151  
6/25/2004

  
FRANTZ B. JEAN  
PRIMARY EXAMINER